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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,870	02/14/2002	Naoki Okino	219593US3CONT	6350
22850	7590	07/26/2004		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER ROSSI, JESSICA	
			ART UNIT 1733	PAPER NUMBER
DATE MAILED: 07/26/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/073,870

**Applicant(s)**

OKINO ET AL.

**Examiner**

Jessica L. Rossi

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 5/14/04, Amendment.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 7-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Amendment*

1. This action is in response to the amendment dated 5/14/04. Claims 1-12 are pending. Claims 7-12 were withdrawn from further consideration and the restriction requirement was made FINAL in the previous office action dated 1/14/04.
2. Support for the present amendment (claim 1, lines 29-32; claim 6, lines 31-34) can be found on p. 31, lines 15-19 of the specification.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1-6 **stand** rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claims 1-6, Applicant is invited to reread the rejection set forth in paragraph 7 of the previous office action dated 1/14/04. Although Applicant inserted the word "mechanical" before stage throughout the present claims it is still unclear what Applicant intends by this language. Applicant is asked to clarify.

It is suggested to amend the claims by replacing "mechanical" with --process-- throughout claims 1-6. It is also suggested to amend the claims as follows:

Claim 1, lines 7-9: replace "the first mechanical stage having the two glass sheets put thereon first before forming the resin spacer, the second mechanical stage having the two glass sheets transferred thereon next;" with --the two glass sheets entering the first

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process stage before forming the resin spacer and then transferring the two glass sheets to the second process stage--.

Claim 1, line 14: "of" should be changed to --in-- after "sheets".

Claim 1, line 15: "on" should be changed to --in-- after "sheets".

Claim 1, line 21: "on" should be changed to --in-- after "sheets".

Claim 1, line 22: "on" should be changed to --in-- after "sheets".

Claim 1, line 29: "on" should be changed to --in-- after "are".

Claim 1, line 31: "on" should be changed to --in-- after "are".

Claim 2, line 11: "on" should be changed to --in-- after "sheets".

Claim 4, line 3: "on" should be changed to --in-- after "device".

Claim 6, lines 7-9: replace "the first mechanical stage having the two glass sheets put thereon first before forming the resin spacer, the second mechanical stage having the two glass sheets transferred thereon next;" with --the two glass sheets entering the first process stage before forming the resin spacer and then transferring the two glass sheets to the second process stage--.

Claim 6, line 14: "on" should be changed to --in-- after "sheets".

Claim 6, line 15: "on" should be changed to --in-- after "sheets".

Claim 6, line 19: "on" should be changed to --in-- after "sheets".

Claim 6, line 20: "on" should be changed to --in-- after "sheets".

Claim 6, line 29: "on" should be changed to --in-- after "sheets".

Claim 6, line 31: "on" should be changed to --in-- after "are".

Claim 6, line 33: "on" should be changed to --in-- after "are".

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With respect to claim 6, it is unclear as to how the added limitations in lines 31-34 further limit this claim since these limitations were already present in lines 14-22 of claim 6. Applicant is asked to clarify. It is suggested to delete lines 31-34 from claim 6.

***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1-6 **stand** rejected under 35 U.S.C. 103(a) as being unpatentable over Lenhardt (US 4708762; of record) in view of the Admitted Prior Art in the specification of the present application.

With respect to claim 1, Applicant is directed to the rejection set forth in paragraph 9 of the previous office action dated 1/14/04. As for the added limitations in lines 29-32 pertaining to the vertical portions of the glass sheets being sucked – Lenhardt teaches the two glass sheets having vertical portions close to the second stage 2b which are sucked by the auxiliary suction conveyors 70a and 70b of the first stage 2a when the sheets are present in the first stage 2a (Figures 3 and 11-16; column 8, lines 4-13 - note *height* of each conveyor extends along vertical portions of the glass sheet faces). The reference also teaches the two glass sheets having vertical portions close to the first stage 2a which are sucked by the auxiliary conveyors 70a and 70b of the second stage 2b when the sheets are present in the second stage 2b (Figures 4 and 11-16; column 8, lines 4-13 - note *height* of each conveyor extends along vertical portions of the glass sheet faces).

Regarding claims 2-5, please refer to the rejections set forth in paragraph 9 of the previous office action.

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With respect to claim 6, please refer to the rejection set forth in paragraph 9 of the previous office action.

***Response to Arguments***

7. Applicant's arguments filed 5/14/04 have been fully considered but they are not persuasive.
8. Note p. 14-15 of the remarks are just a summary of the present invention.
9. On page 16 of the arguments, Applicant argues that Lenhardt and the Admitted Prior Art fail to disclose a) first holders arranged so that when the two glass sheets are on the first mechanical stage, the two glass sheets have at least first vertical portions close to the second mechanical stage sucked or b) second holders arranged so that when the two glass sheets are on the second mechanical stage, the two glass sheets have at least vertical portions close to the first mechanical stage sucked.

First, the examiner would like to point out that this argument is not commensurate with the scope of the claimed invention. Claim 1 sets forth a first holder and a second holder but it says nothing about first holders and second holders and their arrangement being associated with the sucking of the glass sheets. Claim 6 says nothing about holders at all.

Second, even if Applicants were to amend the claims to make them commensurate with the above argument, Lenhardt does teach these limitations as set forth in paragraph 6 of the present office action. To reiterate, Lenhardt teaches the two glass sheets having vertical portions close to the second stage 2b which are sucked by the auxiliary suction conveyors 70a and 70b (first holders) of the first stage 2a when the sheets are present in the first stage 2a and the two glass sheets having vertical portions close to the first stage 2a which are sucked by the auxiliary

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conveyors 70a and 70b (second holders) of the second stage 2b when the sheets are present in the second stage 2b (Figures 3-4 and 11-16; column 8, lines 4-13 - note *height* of each conveyor extends along vertical portions of the glass sheet faces).

As for Applicant's use of the word "close," it is noted that this term has been given its broadest interpretation since "close" does not limit itself to any particular distance between the vertical portions of the glass sheets being sucked and the first/second stages.

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jessica L. Rossi** whose telephone number is **571-272-1223**. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine R. Copenheaver can be reached on 571-272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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